

**House File 373 - Introduced**

HOUSE FILE 373

BY FRY

**A BILL FOR**

1 An Act relating to individuals who provide child foster care.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237.3, Code 2023, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 11. The department shall adopt rules to  
4 require the department or a representative of the department  
5 to visit a child placed with an individual within two weeks of  
6 the child being placed with the individual and at least once  
7 each calendar month thereafter.

8 NEW SUBSECTION. 12. The department shall adopt rules  
9 that would encourage individuals to apply the reasonable and  
10 prudent parent standard to create opportunities for a child to  
11 participate in age or developmentally appropriate activities.

12 Sec. 2. Section 237.5A, Code 2023, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 3. The department or the department's agent  
15 shall notify an individual licensee within a reasonable amount  
16 of time of any training the department believes would benefit  
17 the licensee in the provision of child foster care.

18 Sec. 3. NEW SECTION. **237.10 Child foster care providers.**

19 1. *a.* The department shall notify an individual of any  
20 appropriate meetings relating to the case permanency plan of a  
21 child in the care of the individual.

22 *b.* The department shall notify an individual of any  
23 meetings known to the department relating to the individualized  
24 education program of a child in the care of the individual.

25 *c.* The department shall notify an individual of any medical  
26 appointments required or scheduled in consultation with the  
27 department relating to a child in the care of the individual.

28 2. Prior to an individual agreeing to provide child foster  
29 care for a child, the department shall provide the individual  
30 with all information known to the department relating to the  
31 child's health, education, legal history, and any other history  
32 the department believes may be relevant to properly care for  
33 the child. This subsection shall not apply in situations the  
34 department has determined the child requires an emergency  
35 placement.

1     3. Upon placement of a child with an individual, the  
2 department shall provide the individual with information that  
3 would allow the individual to contact the department or an  
4 agent of the department for assistance relating to child foster  
5 care.

6     4. Prior to disclosing an individual's private address,  
7 work address, or contact information, the department shall  
8 evaluate possible safety concerns to determine whether such  
9 information may be released without posing a risk to the safety  
10 of the individual, the child, or any other person.

11    5. The department shall notify an individual within a  
12 reasonable amount of time of any change in a law or regulation  
13 that would have a substantive impact on the individual's  
14 obligations and responsibilities relating to child foster care.

15    6. *a.* The department shall provide written notice to an  
16 individual a minimum of ten days prior to the removal of a  
17 child from the care of the individual. Such notice shall  
18 include the reasons for the child's removal.

19    *b.* This subsection shall not apply to a situation where the  
20 health or safety of the child or another person is threatened  
21 by the child's presence in the child's current placement home,  
22 if the court orders the removal of a child from the individual,  
23 or if the individual is alleged to have committed abuse or  
24 neglect relating to a child in the individual's care.

25    7. *a.* An individual shall provide written notice to the  
26 department a minimum of ten days prior to a request to remove a  
27 child from the individual's care.

28    *b.* This subsection shall not apply to a situation where the  
29 health or safety of the child or another person is threatened  
30 by the child's presence in the child's current placement home.

31    8. At the conclusion of an investigation that may affect  
32 an individual's ability to provide child foster care in  
33 the future, the department shall provide the individual  
34 with a written report that details the conclusions of the  
35 investigation.

1     9. *a.* The department shall require an individual to  
2 attempt, to the extent reasonably possible, to maintain a  
3 child's culture and beliefs.

4     *b.* An individual shall be allowed to provide child foster  
5 care, according to the individual's own culture and beliefs, if  
6 such child foster care does not actively discourage a child to  
7 disregard the child's own culture and beliefs.

8     10. *a.* The department or the department's agent shall  
9 consider the needs and scheduling demands of a child, the  
10 child's parents, the child's siblings, and the individual  
11 caring for the child when scheduling supervised or any other  
12 visitation between the child and the child's siblings, family  
13 members, or fictive kin.

14    *b.* The department shall not require an individual to conduct  
15 or be present during supervised visits scheduled pursuant to  
16 paragraph "a".

17    11. The department shall make efforts to facilitate  
18 contact between an individual and any former individual and  
19 any prospective adoptive parents of a child in the care of the  
20 individual as such information becomes known to the department.

21    12. The department shall accept information from an  
22 individual relating to medical appointments, treatment needs,  
23 educational progress, and educational services for a child  
24 placed with the individual. The department shall consider all  
25 such information when developing or modifying a child's case  
26 permanency plan and in the coordination of care and decisions  
27 related to services and care necessary for the child. The  
28 information the department receives from foster parents will be  
29 reviewed and considered as decisions about the child's progress  
30 and needs are made.

31    13. The department shall maintain a process to allow  
32 an individual to file complaints with the department  
33 electronically for alleged violations relating to this section.

34    14. The department shall adopt rules pursuant to chapter 17A  
35 to implement this section.

1 EXPLANATION

2 The inclusion of this explanation does not constitute agreement with  
3 the explanation's substance by the members of the general assembly.

4 This bill relates to individuals who provide child foster  
5 care.

6 The bill requires the department of health and human  
7 services (HHS) to notify individuals licensed to provide foster  
8 care of any training the department believes would benefit the  
9 licensee in the provision of child foster care.

10 The bill creates new rights and responsibilities for foster  
11 parents and new duties for HHS in relation to foster parents  
12 and the ability of foster parents to care for foster children.  
13 The bill also requires HHS to maintain a process that allows  
14 an individual to file a complaint electronically relating to a  
15 violation of foster parent rights.